

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

C.W.P. No. 8737 of 2007
Date of Decision: 30.5.2007

Krishan Kumar and another.

..... Petitioners through Shri
Narender Hooda, Advocate.

Versus

Haryana Urban Development Authority and others.

..... Respondents through Nemo.

CORAM: HON'BLE MR. JUSTICE VIJENDER JAIN,
CHIEF JUSTICE
HON'BLE MR.JUSTICE MAHESH GROVER

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1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

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VIJENDER JAIN, CHIEF JUSTICE

The petitioners have prayed that they be issued an allotment letter as they were the highest bidders in an auction pertaining to the commercial sites held on 29.12.2005 at Rewari.

After having made the bid, the petitioners deposited a sum of Rs.10,000/- as earnest money on the spot and another 15% of the cost was also deposited by them in terms of the conditions of the auction and remaining 75% of thereof was to be paid in equal eight half yearly instalments along with 11% interest.

Vide the impugned order dated 9.3.2007, the prayer of the

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petitioners for issuance of allotment letter in their favour has been rejected on the ground that the auction did not meet the requisite approval and the amount deposited by them was directed to be refunded.

Learned counsel for the petitioners contended that no reasons whatsoever have been given for rejecting their bid and for not issuing an allotment letter pursuant to their successful bid.

We are afraid, we cannot accept the contention of the learned counsel for the petitioners. The proceedings in an auction are always subject to an approval by the competent authority and in the absence of any such approval, the auction cannot be deemed to be completed. Merely bidding in an auction and depositing some amount pursuant thereto, would not ipso facto confer any right upon the petitioners in the absence of any approval by the competent authority.

Consequently, the writ petition is dismissed.

(Vijender Jain)
Chief Justice

May 30,2007
“SCM”

(Mahesh Grover)
Judge